

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re

Linda J. Hayes

Debtor(s)

Case No. 14-55994

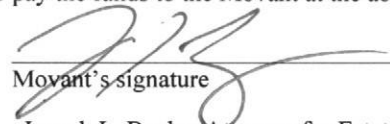
Judge: HOFFMAN

Chapter: 13

MOTION FOR PAYMENT OF UNCLAIMED FUNDS

Under penalty of perjury, the Movant declares that the following statements and information are true and correct.

1. To the best of the Movant's knowledge, a check in the amount of \$ 2,572.23 was issued to
unclaimed registry fund (name of original creditor/claimant).
2. To the best of the Movant's knowledge, the funds were tendered by the case trustee to the Bankruptcy Clerk and then to the United States Treasury.
3. The Movant's current address, phone number and social security number (last 4 digits only of social security number or complete EIN) are as follows:
Movant is deceased. Release from Administration granted in Union County Probate Court
on 10/31/2019 in Case No. 2019 PE 175. (Copy of Order Granting Release from
Administration is attached as Exhibit "A").
4. The Movant did not receive the check or did not negotiate the check for the following reason(s):
Movant passed away on April 3, 2018 (the funds were transmitted to the unclaimed registry
fund on August 9, 2018).
5. Movant represents that he/she is the owner of the funds, or is a legal representative of the owner, and is entitled to receive the funds. (If the movant is other than the owner of the funds, additional requirements pursuant to Local Bankruptcy Rule 3011-1(d) may apply to establish the right of payment of the unclaimed funds.)
6. Movant understands that pursuant to 18 U.S.C. §152, a fine or imprisonment or both may be imposed if he/she knowingly or fraudulently made any false statements in this document.
7. Wherefore, Movant requests an order directing the Clerk to pay the funds to the Movant at the above address.


Movant's signature

Joseph L. Beyke, Attorney for Estate
Movant's printed name

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NOTICE OF MOTION

Joseph L. Beyke, Attorney for Estate has filed a Motion for Payment of Unclaimed Funds with the court.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the court to grant the relief sought in the motion/objection, then on or before **twenty-one (21) days from the date set forth in the certificate of service for the motion/objection**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to: *(select office where case is/was pending)*

U.S. Bankruptcy Court, 120 West Third Street, Dayton, Ohio 45402

OR your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the above date. You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to:

Name: Joseph L. Beyke, Attorney for Estate

Address: 8561 S. Mason-Montgomery Road, Suite 28
Mason, Ohio 45040

and, *(List below the names and addresses of others to be served)*

Tad A. Semons
85 E. Gay Street, Suite 600
Columbus, Ohio 43215

William B. Logan
1160 Dublin Road, Suite 400
Columbus, Ohio 43215

Frank M. Pees
130 East Wilson Bridge, Suite 200
Worthington, Ohio 43085

US Trustee, Asst US Trustee
170 North High Street, Suite 200
Columbus, Ohio 43215

Faye D. English
Chapter 13 Trustee
10 West Broad Street, Suite 1600
Columbus, Ohio 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Payment of Unclaimed Funds was served on the following by ordinary U.S. Mail on the 6th day of November, 2019.

Debtor:

n/a

Debtor's Attorney:

Tad A Semons
85 E. Gay St.
Suite 600
Columbus, OH 43215

Case Trustee:

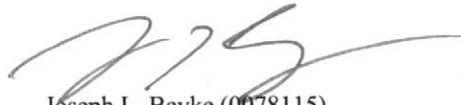
Faye D. English, Chapter 13 Trustee
10 West Broad Street, Suite 1600
Columbus, OH 43215-3419

United States Attorney
303 Marconi Boulevard, Suite 200
Columbus, Ohio 43215

Indicate the office that was served:

☐ United States Trustee (Cincinnati cases)
550 Main Street, Suite 4-812
Cincinnati, Ohio 45202

☒ United States Trustee (Columbus and Dayton cases)
170 North High Street, Suite 200
Columbus, Ohio 43215


Joseph L. Beyke (0078115)

Movant's signature

PROBATE COURT OF UNION COUNTY, OHIO

ESTATE OF LINDA J. HAYES, DECEASED

CASE NO. 2019PE175

ENTRY RELIEVING ESTATE FROM ADMINISTRATION
[R.C. 2113.03]

Upon hearing the application to relieve decedent's estate from administration, the Court finds that:

Decedent died [check one of the following] - ☐ testate - ☒ intestate. The date of death and domicile are as stated in the application, and the Court has jurisdiction over the estate;

Notice to the surviving spouse, heirs at law, legatees, devisees, and other persons was duly effected or dispensed with by the Court as unnecessary;

The values of the several assets in the estate, given in the application do not exceed the statutory limits.

The Court therefore relieves the estate from administration, and orders [check and complete whichever of the following are applicable]:

☐ That the following personal property be sold [describe]:

☐ That the following debts of decedent shall be paid to the extent of assets:

☐ That the statutory family allowance be paid to the ☐ surviving spouse - ☐ minor children of the decedent - ☐ apportioned between the surviving spouse and minor children of the decedent who are not the children of the surviving spouse. Attach Form 7.2A if necessary.

☐ That Certificate of Transfer No. _____, attached to the application and describing decedent's real estate, issue and be preserved in the records of the Court and that authenticated copies of the certificate be delivered as required to the persons entitled to them;

☐ That the financial institutions holding accounts in decedent's name as set forth below pay the same upon proper tax release [check one of the following] - ☐ to the commissioner - ☐ to _____

EXHIBIT

A

FORM 5.6 - ENTRY

ADMINISTRATION

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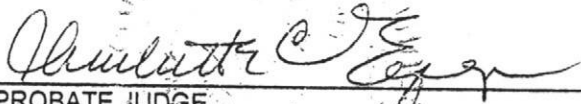
(Reverse of Form 5.6)

☒ That the remainder of the estate be distributed in cash or in kind, as follows:

Name of Distributee	Property	Value or Amount
		\$
Thelma Mae Berry	Funds from Case 14 CV 0101	\$29,982.04
	Funds from bankruptcy case	\$2,572.23

The Court appoints Thelma Mae Berry commissioner, to receive and sell or distribute the personal property or proceeds thereof, and to execute all necessary documents of conveyance, including without limitation those necessary to transfer title to any motor vehicle, motorcycle, watercraft, or other titled personal property sold or distributed in kind. The commissioner shall complete the duties and report to the Court within sixty days of the date of this entry.

October 31, 2019
Date


PROBATE JUDGE

FILE

2019 OCT 31 AM 8:24

Chabette C. [unclear]